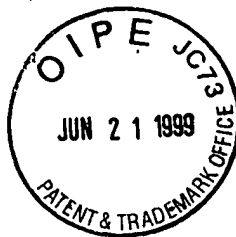


Attorney Docket No: UCAL-253/02US  
98-041-3



*Sector #*

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on June 17, 1999

By:

*Patricia K. Parry* 6/17/99  
*Patricia K. Parry*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of John D. Baxter, et al.

Serial No.: 09/281,717

Examiner:

Filed: March 30, 1999

Art Unit:

For: METHODS AND COMPOUNDS FOR MODULATING NUCLEAR  
RECEPTOR COACTIVATOR BINDING

---

Assistant Commissioner for Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application mailed April 20, 1999, transmitted herewith along with the appropriate fee(s) are:

- ☒ [X] A copy of the Notice to File Missing Parts of Application.
- ☒ [X] An executed Power of Attorney by Assignee and Exclusion of Inventors Under 37 CFR 1.36 and 3.71.
- ☒ [X] Verified Statement Claiming Small Entity Status 37 CFR 1.9(f) & 1.27 (d)- NonProfit Organization.
- ☒ [X] Fee Transmittal.
- ☒ [X] Check No. 33922 in the amount of \$770.00.
- ☒ [X] Return Postcard.

☒ Declaration along with:

☐ surcharge for a small entity (\$65.00)

☒ Filing fees: **\$705.00**

**TOTAL FEES: .....\$770.00**

☒ A check in the amount of \$770.00 is attached.

Conditional Petition for Extension of Time. An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, or credit any overpayment to Deposit Account No. 03-3117:

☒ Any national application filing fees under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

Cooley Godward LLP  
Attn: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663  
SPE:lfh  
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Respectfully submitted,  
COOLEY GODWARD LLP

By:

Shelley P. Eberle  
Shelley P. Eberle  
Reg. No. 31,411



115

Approved for use through 9/30/000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL

Note: Effective November 10, 1998.  
Patent fees are subject to annual revision.

### Complete if Known

Application Number	09/281,717
Filing Date	March 30, 1999
First Named Inventor	Baxter, et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	UCAL-253/02US

TOTAL AMOUNT OF PAYMENT (\$)**770.00**

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **03-3117**  
Deposit Account Name **Cooley Godward LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	380.0
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$) <b>380.00</b>

#### 2. CLAIMS

Total Claims	33	-20 =	Extra 13	X	Fee from below 9	=	Fee Paid 117.00
Independent Claims	5	-3 =	2	X	39	=	78.00
Multiple Dependent Claims			1		130.00	=	130.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	78	202	39	Independent claims in excess of 3	
104	260	204	130	Multiple dependent claim	
109	78	209	39	Reissue independent claims over original patent	
110	18	210	9	Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) <b>325.00</b>

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify)					
Other fee (specify)					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					65.00

### SUBMITTED BY

Typed or Printed Name	Shelley P. Eberle, Esq.			Reg. Number	31,411
Signature	Shelley P. Eberle	Date	6-16-99	Deposit Account User ID	03-3117

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Tim will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/281,717	03/30/99	BAXTER	J UCAL-253/02

0242/0420

COOLEY GODWARD  
PATENT GROUP  
FIVE PALO ALTO SQUARE  
3000 EL CAMINO REAL  
PALO ALTO CA 94306-2155

NOT ASSIGNED

1648

DATE MAILED:

04/20/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1540.

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 234 for 13 total claims over 20.

\$ 156 for 2 independent claims over 3.

\$ 760 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless (previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

B. D. Donize  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

File  
Missing Parts

20 TE 11  
200099

06/23/1999 11:40:00 09281717  
130.00 00  
380.00 00  
65.00 00  
176.00 00